

Exhibit B

From: Mehta, Sonal
To: rteich@juno.com; clocicero@tlolawfirm.com
Cc: kvick@jassyvick.com; mary.holland@childrenshealthdefense.org; Holtzblatt, Ari; Jennings, Molly; Schultz, Allison
Subject: RE: CHD v. Facebook, et al.
Date: Tuesday, September 8, 2020 3:23:13 PM
Attachments: [CHD CLR 6-1 Stipulation - revised \(181763211\) \(4\).DOCX](#)
[CHD CLR 6-2 Stipulation - revised \(181767465\) \(3\).DOCX](#)
[CHD CLR 6-2 Stipulation Decl - revised \(181763360\) \(3\).DOCX](#)
[CHD CLR 6-2 Stipulation Proposed Order - revised \(181763212\) \(3\).DOCX](#)
[3bclean-control.bin](#)

Roger,

Attached, please find the stipulations we discussed last Friday, extending the deadline responses to the complaint to October 23, and setting a further briefing schedule including a deadline of January 7, 2021, for defendants' replies. (The local rules treat motions for extensions of time to respond to a complaint differently from other extensions, so we have to file two separate stipulations). We would like to get these on file today and appreciate your confirmation that we have permission to sign for you.

Also, given that the motion(s) to dismiss won't be fully briefed until January 2021, we have proposed including a stipulation continuing the November 20 case management conference for the time being.

We can join a call for 30 minutes at 11:30 am PT tomorrow. Speak with you then.

Best,

Sonal N. Mehta | WilmerHale

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sonal.mehta@wilmerhale.com

From: rteich@juno.com <rteich@juno.com>
Sent: Friday, September 4, 2020 2:01 PM
To: clocicero@tlolawfirm.com
Cc: kvick@jassyvick.com; mary.holland@childrenshealthdefense.org; Mehta, Sonal
<Sonal.Mehta@wilmerhale.com>
Subject: RE: CHD v. Facebook, et al.

EXTERNAL SENDER

Hi All,

This will memorialize our phone call just now in which we agreed to a schedule in which (1) your client defendants will file responses to the Complaint by Friday, October 23, 2020; and (2) plaintiff will file its opposition to any motion to dismiss by Monday, December 7, 2020, subject to plaintiff's good cause for any further extension.

For our part, this agreement assumes that Sonal will also be representing Mark Zuckerberg individually, and that his response and plaintiff's responsive pleading (if any) will be governed by the stipulation. Please confirm at your early convenience.

We think it would be useful to hold another conference call next week to discuss a few early case management issues which are likely to arise. There is also a separate issue concerning Facebook only which we wish to take up with Sonal , perhaps at the end of the call.

How is Wednesday, September 9, at 11:30am PT/ 2:30 pm ET for a (no more than) 30-minute discussion?

Here is dial-in we can use --

Dial-In Number: 515-603-3171
Access Code: 1045032#

Sincerely,
Roger Teich

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5 *Attorney for Defendants*
6 FACEBOOK, INC. and
7 MARK ZUCKERBERG

8 KEVIN L. VICK (SBN 220738)
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12 *Attorney for Defendants*
13 THE POYNTER INSTITUTE FOR MEDIA
14 STUDIES, INC. and POLITIFACT

15
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17
18 CHILDREN'S HEALTH DEFENSE,
19 Plaintiff,

20 v.

21 FACEBOOK, INC., ET AL.,

22 Defendants.

ROGER I. TEICH (SBN 147076)
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San Francisco, California 94110
Telephone: (415) 948-0045

Attorney for Plaintiff
CHILDREN'S HEALTH DEFENSE

Case No. 3:20-cv-05787-SI

**STIPULATION TO ENLARGE TIME
TO RESPOND TO COMPLAINT PER
L.R. 6-1(A)**

1 Pursuant to Civil Local Rule 6-1(a), Defendants Facebook, Inc., Mark Zuckerberg, PolitiFact,
2 and The Poynter Institute for Media Studies, Inc. (“Defendants”) and Plaintiff Children’s Health
3 Defense (“Plaintiff”), by and through their respective counsel, hereby stipulate as follows:

4 WHEREAS, Plaintiff filed the Complaint (Dkt. 1) on August 17, 2020;

5 WHEREAS, Plaintiff served the Complaint on Defendant Facebook, Inc. on August 19, 2020.
6 (Dkt. 16). Service was also attempted on The Poynter Institute for Media Studies on August 19, 2020,
7 and on PolitiFact on August 27, 2020. A summons issued to Mark Zuckerberg on August 19, 2020
8 (Dkt. 7), but no proof of service as to Mr. Zuckerberg has been filed to date.

9 WHEREAS, Defendant Facebook, Inc.’s response to the Complaint is currently due September
10 9, 2020. Assuming Mr. Zuckerberg was served the same day as Facebook, and barring any service
11 defects, Defendant Mr. Zuckerberg’s response to the Complaint would also be due on September 9,
12 2020. Barring any service defects, Defendants The Poynter Institute for Media Studies, Inc.’s and
13 PolitiFact’s response to the Complaint would be due on September 9, 2020 and September 17, 2020.

14 WHEREAS, the parties wish to align the response dates for Defendants Facebook, Inc., Mark
15 Zuckerberg, The Poynter Institute for Media Studies, Inc., and PolitiFact.

16 WHEREAS, Defendants have asked for, and Plaintiff has consented to, an extension of time
17 for Defendants to answer, move, or otherwise respond to the Complaint, up to and including October
18 23, 2020. This represents a 44-day extension with respect to Defendants Facebook, Inc., Mark
19 Zuckerberg, and The Poynter Institute for Media Studies, Inc., and a 36-day extension with respect to
20 Defendant PolitiFact.

21 WHEREAS, this is the first extension of time in this matter and will not affect any other date
22 already set by Court order.

23 **IT IS HEREBY STIPULATED AND AGREED** by Plaintiff and Defendants, pursuant to
24 Civil Local Rule 6-1(a), to enlarge the time for Defendants to answer, move, or otherwise respond to
25 the Complaint up to and including October 23, 2020.¹

26
27 _____
28 ¹ Defendants reserve their rights to raise any jurisdictional challenges in response to the Complaint,
and this Stipulation does not waive any such rights.

1
2 Dated: September 8, 2020

WILMER CUTLER PICKERING, HALE AND
DORR LLP

3
4 By: /s/ Sonal N. Mehta
SONAL N. MEHTA

5 *Attorney for Defendants*
Facebook, Inc. and Mark Zuckerberg
6

7
8 Dated: September 8, 2020

JASSY VICK CAROLAN LLP

9 By: /s/ Kevin L. Vick
KEVIN L. VICK

10
11 *Attorney for Defendants*
The Poynter Institute for Media Studies, Inc, and
PolitiFact
12

13
14 Dated: September 8, 2020

By: /s/ Roger Ian Teich
ROGER IAN TEICH

15 *Attorney for Plaintiff*
Children's Health Defense
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1 **SIGNATURE ATTESTATION**

2 I am the ECF User whose identification and password are being used to file the foregoing
3 Stipulation To Enlarge Time To Respond To Complaint. Pursuant to Civil Local Rule 5-1(i), I
4 hereby attest that the other signatures have concurred in this filing.

5 Dated: September 8, 2020

By: /s/ Sonal N. Mehta
Sonal N. Mehta

9 **CERTIFICATE OF SERVICE**

10 I hereby certify that on September 8, 2020, I electronically filed the above document with
11 the Clerk of the Court using CM/ECF which will send electronic notification of such filing to all
12 registered counsel.

14 Dated: September 8, 2020

By: /s/ Sonal N. Mehta
Sonal N. Mehta

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MARK ZUCKERBERG

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Attorney for Defendants
THE POYNTER INSTITUTE FOR MEDIA
STUDIES, INC. and POLITIFACT

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

CHILDREN'S HEALTH DEFENSE,
Plaintiff
v.
FACEBOOK, INC., ET AL.,
Defendant

Case No. 3:20-cv-05787-SI

CIVIL LOCAL RULE 6-2(A)

STIPULATION

Pursuant to Civil Local Rule 6-2(a), Defendants Facebook, Inc., Mark Zuckerberg, The Poynter Institute for Media Studies, Inc., and PolitiFact (“Defendants”) and Plaintiff Children’s Health Defense (“Plaintiff”), by and through their respective counsel, have consented to the following enlargement of time to file Plaintiff’s Opposition to any Rule 12 motion:

1. Plaintiff’s Opposition to any Rule 12 motions filed by Defendants shall be due
2 December 7, 2020.
3. Defendants’ Replies to Plaintiff’s Opposition shall be due January 7, 2021.
4. Because the requested enlargements will cause Plaintiff’s Opposition and Defendants’
5 Replies to be filed after the case management conference currently scheduled for
6 November 20, 2020, the parties also request that the case management conference be
7 continued until after the Court decides any Rule 12 motion filed by Defendants.

Plaintiff filed the Complaint on August 17, 2020. (Dkt. 1). Plaintiff served the Complaint on Defendant Facebook, Inc. on August 19, 2020 (Dkt. 16), and attempted service on Defendants The Poynter Institute for Media Studies, Inc., and PolitiFact on August 19, 2020 and August 27, 2020, respectively. A summons issued to Defendant Mark Zuckerberg on August 19, 2020 (Dkt. 7), but the docket does not currently reflect proof of service on Mr. Zuckerberg. Defendants’ deadline to respond to the Complaint has been enlarged once by stipulation to October 23, 2020.

Good cause exists, and the parties’ stipulated request for an enlargement of time is reasonable in light of the complicated subject matter of this case, the number of issues in dispute, and the need to coordinate among multiple, separately represented defendants. The Complaint includes four counts invoking complex issues of constitutional and statutory law. Moreover, the Thanksgiving holiday falls within the time allotted for Plaintiff to prepare its Opposition, and the winter holidays fall within the time allotted for Defendants to prepare their replies. This stipulated request is supported by the accompanying Declaration of Sonal N. Mehta.

Pursuant to Civil Local Rule 6-2(a), Plaintiff and Defendants hereby request that the Court enter an order allowing the enlargement of time and continuance set forth above.

1
2 Dated: September 8, 2020

WILMER CUTLER PICKERING, HALE AND
DORR LLP

3 By: /s/ Sonal N. Mehta
4 SONAL N. MEHTA

5 *Attorney for Defendants*
Facebook, Inc. and Mark Zuckerberg

6
7 Dated: September 8, 2020

JASSY VICK CAROLAN LLP

8 By: /s/ Kevin L. Vick
9 KEVIN L. VICK

10 *Attorney for Defendants*
The Poynter Institute for Media Studies, Inc. and
11 PolitiFact

12
13 Dated: September 8, 2020

By: /s/ Roger I. Teich
ROGER I. TEICH

14 *Attorney for Plaintiff*
15 Children's Health Defense

1
2 **SIGNATURE ATTESTATION**

3 I am the ECF User whose identification and password are being used to file the foregoing
4 Stipulation To Enlarge Time To Respond To Complaint. Pursuant to Civil Local Rule 5-1(i), I
5 hereby attest that the other signatures have concurred in this filing.

6 Dated: September 8, 2020

By: /s/ Sonal N. Mehta
Sonal N. Mehta

7
8
9 **CERTIFICATE OF SERVICE**

10 I hereby certify that on September 8, 2020, I electronically filed the above document with
11 the Clerk of the Court using CM/ECF which will send electronic notification of such filing to all
12 registered counsel.

14
15 Dated: September 8, 2020

By: /s/ Sonal N. Mehta
Sonal N. Mehta

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6 *Attorney for Defendants*
7 FACEBOOK, INC. and
8 MARK ZUCKERBERG

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CHILDREN'S HEALTH DEFENSE,
Plaintiff,

v.
FACEBOOK, INC., ET AL.,

Defendants.

Case No. 3:20-cv-05787-SI

**DECLARATION OF SONAL N.
MEHTA IN SUPPORT OF CIVIL
LOCAL RULE 6-2(A) STIPULATION**

1 I, Sonal N. Mehta, declare as follows:

2 1. I am a partner at Wilmer Cutler Pickering Hale and Dorr LLP. I represent Defendants
3 Facebook, Inc. and Mark Zuckerberg in the above-captioned action.

4 2. Defendants Facebook, Inc., Mark Zuckerberg, The Poynter Institute for Media
5 Studies, Inc. and PolitiFact have sought an enlargement of time to respond to Plaintiff's Complaint.

6 3. Plaintiff requested, and the parties have agreed to, subject to the Court's approval, an
7 enlargement of time for Plaintiff to respond to any Rule 12 motions filed by Defendants up to and
8 including December 7, 2020, and for Defendants to file their replies in support of any Rule 12
9 motions to January 7, 2021.

10 4. The parties are requesting the Court allow this proposed enlargement of time because
11 of the complicated subject matter of this case, the number of issues in dispute, and the need to
12 coordinate among multiple, separately represented defendants. The Complaint includes several
13 alleged constitutional and statutory violations. This proposed schedule will allow the parties
14 adequate time to study the issues and submit briefing that will aid the Court in its resolution of any
15 Rule 12 motion.

16 5. Moreover, the Thanksgiving holiday falls within the time allotted for Plaintiff to
17 prepare its opposition brief, and the winter holidays fall within the time allotted for Defendants to
18 prepare their replies.

19 6. The time for Defendants to answer, move, or otherwise respond to the complaint has
20 been enlarged once by stipulation filed concurrently herewith, from September 9 to October 23,
21 2020 for Defendants Facebook, Inc., Mark Zuckerberg, and The Poynter Institute for Media Studies,
22 Inc., and from September 17 to October 23, 2020 for Defendant PolitiFact.

23 7. This request will cause Plaintiff's opposition and Defendants' replies to be filed after
24 the case management conference currently scheduled for November 20, 2020. (Dkt. 15).
25 Accordingly, the parties request that the case management conference be continued until after the
26 Court decides any Rule 12 motions filed by Defendants.

1 I declare under penalty of perjury that the foregoing is true and correct.
2 Executed on this 8th day of September 2020 in Redwood City, California.

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4 By: /s/ Sonal N. Mehta
5 Sonal N. Mehta
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MARK ZUCKERBERG

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Attorney for Defendants
13 THE POYNTER INSTITUTE FOR MEDIA
STUDIES, INC. and POLITIFACT

14
15 CHILDREN'S HEALTH DEFENSE,

16 Plaintiff,

17 v.

18 FACEBOOK, INC., ET AL.,

19 Defendants.

20 Case No. 3:20-cv-05787-SI

21
22 [PROPOSED] ORDER ON CIVIL
23 LOCAL RULE 6-2(A) STIPULATION

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED that:

1. Plaintiff's Opposition to any Rule 12 motions filed by Defendants Facebook, Inc., Mark Zuckerberg, The Poynter Institute for Media Studies, Inc., and/or PolitiFact shall be due December 7, 2020.
 2. Defendants' Replies in support of any such Rule 12 motions shall be due January 7, 2021.
 3. The Case Management Conference currently scheduled for November 20, 2020 shall be continued until after the Court decides any Rule 12 motions filed by Defendants.

Dated: _____

By: Hon. Susan Illston
United States District Judge